

Oral Argument Calendar

United States Court of Appeals for the Sixth Circuit

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Tuesday, December 08, 2015

All Cases on Briefs

Before: **Batchelder, Griffin, Carr****15-1493 John Paul, Jr. v. Detroit Edison Company, et al.**[2:13-cv-14256](#)

Eastern District of Michigan at Detroit

S. Cox

Defendants appeal the summary judgment for plaintiff in this ERISA action seeking retirement benefits. (To Be Submitted On Briefs)

15-5240 William Wiggins v. Kimberly-Clark Corporation, et al.[3:12-cv-00115](#)

Eastern District of Tennessee at Knoxville

P. Reeves

Plaintiff appeals the summary judgment for Defendants in this civil diversity action alleging numerous state-law claims arising from Plaintiff's drug testing at his place of employment. (To Be Submitted On Briefs)

15-5519 USA v. Courtney Simmons[2:14-cr-20020-1](#)

Western District of Tennessee at Memphis

S. Anderson

Defendant appeals his conviction for being a felon in possession of a firearm. (To Be Submitted On Briefs)

14-1693 USA v. Richard Woolsey[2:11-cr-20203-1](#)

Eastern District of Michigan at Detroit

A. Cohn

14-2488 USA v. Richard Woolsey[2:11-cr-20203-1](#)

Eastern District of Michigan at Detroit

A. Cohn

P. Komives

Defendant appeals his jury conviction, sentence, and amended judgment for conspiracy to commit wire fraud, wire fraud, and his sentence of 90 months in prison and restitution in excess of \$6 million. (To Be Submitted On Briefs)

15-1231 Gary McNamara v. Comm of Social Security[1:12-cv-00241](#)

Western District of Michigan at Grand Rapids

P. Maloney

Plaintiff appeals the judgment affirming the denial of supplemental social security benefits. (To Be Submitted On Briefs)

14-4252 Jorge Moreno-Ortega v. Loretta E. Lynch

a088 239 816

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies asylum, withholding of removal, and protection under the Convention Against Torture. (To Be Submitted On Briefs)

Tuesday, December 08, 2015

403 - 4th Floor Courtroom, 10:00 A.M.

Before: **Stranch, Donald, Lipez**

15-1548 Robert McKay v. William Federspiel, et al.

[1:14-cv-10252](#)

Eastern District of Michigan at Bay City

T. Ludington

Plaintiff appeals the summary judgment for defendants in this action challenging the constitutionality of an administrative order prohibiting the public from possessing and using electronic communication devices in certain areas of the county governmental center. (15 Minutes Per Side)

15-5149 USA v. Daniel Moody

[5:13-cr-00133-1](#)

Eastern District of Kentucky at Lexington

K. Caldwell

Defendant appeals his conviction for conspiracy to distribute controlled substances--heroin and methamphetamine; distribution of heroin; and possession of a firearm by a convicted felon. (To Be Submitted On Briefs)

15-3336 Glenda Smith v. City of Wyoming, et al.

[1:13-cv-00915](#)

Southern District of Ohio at Cincinnati

T. Black

Plaintiff appeals the summary judgment for the defendants in this civil rights action arising out of a number of encounters between the plaintiff and Wyoming Police Officers, (To Be Submitted On Briefs)

15-1423 Martin Martini, et al. v. JPMorgan Chase Bank, N.A., et al.

[2:14-cv-13169](#)

Eastern District of Michigan at Detroit

S. Murphy

Plaintiffs appeal the dismissal of their action challenging a residential mortgage foreclosure under federal and state law. (To Be Submitted On Briefs)

Tuesday, December 08, 2015

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Boggs, McKeague, Bertelsman**

14-4197 USA v. Svetislav Vujovic**1:12-cr-00552-1** Northern District of Ohio at Cleveland

C. Boyko

Defendant appeals his jury conviction and sentence for financial institution fraud, giving commissions or gifts for procuring loans, 10 counts of making false statements, and 2 counts of money laundering. (15 Minutes Per Side)

14-4149 John Ruiz-Bueno, III, et al. v. Zack Scott, et al.**2:12-cv-00809** Southern District of Ohio at Columbus

G. Frost

Defendants appeal the denial of their motion for summary judgment on grounds of qualified immunity in this civil rights action brought by the administrator of Edward Peterson's estate, who died while incarcerated at the Franklin County Correctional Center II. (15 Minutes Per Side)

14-4151 John Ruiz-Bueno, III, et al. v. Zack Scott, et al.**2:12-cv-00809** Southern District of Ohio at Columbus

G. Frost

Plaintiffs appeal, pursuant to Rule 54(b), from the district court's order granting summary judgment as to certain defendants in this civil rights case brought by the administrator of Edward Peterson's estate, who died while incarcerated at the Franklin County Correctional Center II. (15 Minutes for Plaintiffs; 15 Minutes to be Shared by Defendants)

14-4022 Heather Carman v. Erie County, et al.**3:13-cv-00922** Northern District of Ohio at Toledo

J. Zouhary

Plaintiff appeals the summary judgment for defendants in this civil rights action alleging that defendants discriminated against her on the basis of race when they failed to hire her. (To Be Submitted On Briefs)

14-2458 USA v. Jason McGuire**2:11-cr-20750-1** Eastern District of Michigan at Detroit

S. Murphy

14-2475 USA v. Delvin Davis**2:11-cr-20750-2** Eastern District of Michigan at Detroit

S. Murphy

Defendants appeal their jury convictions and sentences for conspiracy to defraud the government and making false, fictitious or fraudulent claims. (To Be Submitted On Briefs)

Tuesday, December 08, 2015

607 - 6th Floor West Courtroom, 1:30 P.M.

Before: **Keith, McKeague, Griffin**

15-3751 Murray Energy Corporation v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3799 OH, et al. v. U.S. Army Corps of Engineers, et al.

40 cfr 110 Environmental Protection Administration

15-3817 National Wildlife Federation v. EPA, et al.

epa 801fr37054 Environmental Protection Administration

15-3820 Natural Resources Defense Cnsl v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3822 State of Oklahoma v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3823 Chmbr of Comm of the USA, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3831 North Dakota, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3837 Waterkeeper Alliance, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3839 Puget SoundKeeper, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3850 American Farm Bureau Fedn, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3853 State of Texas, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3858 Utility Water Act Group v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3885 Southeastern Legal Foundation, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3887 State of Georgia, et al. v. U.S. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

15-3948 One Hundred Miles, et al. v. EPA, et al.

epa-hq-ow-2011-0 Environmental Protection Administration

The Petitioners seek review, including a jurisdictional determination of the court of review, of the final rules issued by the US Environmental Protection Agency and the Army Corps that define the waters of the United States for purposes of the Clean Water Act. (20 Minutes to be Shared by Movants; 20 Minutes to be Shared by Parties Opposing Dismissal)

Wednesday, December 09, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Stranch, Donald, Lipez**

15-1426 Joe Solo, et al. v. United Parcel Service Co.

[2:14-cv-12719](#)

Eastern District of Michigan at Detroit

G. Rosen

The plaintiffs in this putative class action appeal the judgment dismissing their claims alleging that defendant overcharged for additional liability coverage for packages with a declared value of over \$300. (15 Minutes Per Side)

14-3723 USA v. Angelique Bankston

[1:13-cr-00166-1](#)

Northern District of Ohio at Cleveland

D. Dowd

Defendant appeals the denial of her motion to suppress, her jury conviction and sentence for money laundering, three counts of conspiracy to commit bank fraud and money laundering, three counts of bank fraud, four counts of aggravated identity theft, and the denial of her motion for a new trial. (15 Minutes Per Side)

14-2183 Clifton Walker, et al. v. RDR Real Estate, et al.

[2:11-cv-10251](#)

Eastern District of Michigan at Detroit

M. Battani

Plaintiffs appeal the district court's denial of their motion for an extension of time to refile motions challenging the judgment for the defendants in this action alleging that their landlord, the Detroit Police Department, and others violated their rights under state and federal law in connection with eviction proceedings brought against them. (To Be Submitted On Briefs)

15-1405 Ronald Miller v. Comm of Social Security

[2:13-cv-11748](#)

Eastern District of Michigan at Detroit

M. Majzoub

Plaintiff appeals the summary judgment for the Commissioner in this action challenging the denial of social security benefits. (To Be Submitted On Briefs)

14-1651 USA v. Leonard Moore

[2:06-cr-20465-6](#)

Eastern District of Michigan at Detroit

N. Edmunds

14-1656 USA v. Johnny Jarrell

[2:06-cr-20465-15](#)

Eastern District of Michigan at Detroit

N. Edmunds

Defendants appeal their amended judgments entered on remands for resentencing. (To Be Submitted On Briefs)

15-3210 USA v. Daniel Austin, Jr.

[1:12-cr-00349-1](#)

Northern District of Ohio at Cleveland

J. Adams

Defendant appeals the judgment entered and sentence imposed following his guilty plea to being a felon in possession of a firearm and ammunition. (To Be Submitted On Briefs)

Wednesday, December 09, 2015

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Boggs, McKeague, Bertelsman**

14-1635 USA v. Leon Binford

[2:13-cr-20271-1](#) Eastern District of Michigan at Detroit

D. Hood

In this criminal action tried to a jury, defendant appeals his conviction of being a felon in possession of a firearm and possession with intent to distribute marijuana. (15 Minutes Per Side)

15-5417 Tracy Morton v. Vanderbilt University

[3:13-cv-01012](#) Middle District of Tennessee at Nashville

K. Sharp

Defendant appeals the judgment for Plaintiff in this civil action brought under the Worker Adjustment and Restraining Notification Act and arising from a reduction in force at Vanderbilt University. (15 Minutes Per Side).

15-3391 John O'Donnell v. Genzyme Corporation, et al.

[1:14-cv-01767](#) Northern District of Ohio at Cleveland

J. Gwin

Plaintiff appeals the summary judgment for the defendant in this action alleging that he was constructively fired because he opposed the promotion of off-label use of medical devices, opposed gender discrimination, and consulted an attorney about these issues. (15 Minutes Per Side).

14-2364 Marlon Scarber v. Carmen Palmer

[2:13-cv-15074](#) Eastern District of Michigan at Detroit

C. Binder

S. Murphy

The petitioner appeals the district courts judgment dismissing as untimely his petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (To Be Submitted On the Briefs)

Wednesday, December 09, 2015

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Batchelder, Griffin, Carr**

15-3411 Zachary Baisden, et al. v. Credit Adjustments, Inc.

[2:13-cv-00992](#)

Southern District of Ohio at Columbus

E. Deavers

E. Sargus

Plaintiffs appeal the summary judgment for the defendant in this putative class action alleging that the defendant violated the Telephone Consumer Protection Act and FCC regulations by making telephone calls to the cellular telephone numbers of plaintiffs using an automatic telephone dialing system and a prerecorded voice without their prior express consent. (15 Minutes Per Side).

14-6214 Glenard Thorne v. Jerry Lester

[3:14-cv-00695](#)

Middle District of Tennessee at Nashville

A. Trauger

Petitioner appeals the district courts denial of his petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (15 Minutes Per Side)

15-1200 William Gardner, et al. v. Jason Evans, et al.

[1:12-cv-01338](#)

Western District of Michigan at Grand Rapids

R. Jonker

The individual defendants appeal the denial of summary judgment on grounds of qualified immunity in this civil rights action challenging administrative evictions on grounds of failure to provide notice and an opportunity for post-deprivation review. (15 Minutes Per Side)

15-1492 Cheryl McCarty, et al. v. Southfield, City Of, et al.

[2:12-cv-13605](#)

Eastern District of Michigan at Detroit

A. Tarnow

A defendant officer in this civil rights action appeals the district court's interlocutory order denying in part his motion for summary judgment on the basis of qualified immunity. (15 Minutes Per Side)

14-6523 USA v. Alexei Sardinas

[5:14-cr-00042-2](#)

Eastern District of Kentucky at Lexington

K. Caldwell

Defendant appeals his conviction for conspiracy to distribute oxycodone. (15 Minutes Per Side)

Wednesday, December 09, 2015

842 - 8th Floor East Courtroom, 9:00 A.M.

Before: **Sutton, Kethledge, Beckwith**

15-1442 Samantha Bachynski v. Anthony Stewart

[2:10-cv-13762](#)

Eastern District of Michigan at Detroit

D. Lawson

V. Morgan

Respondent appeals the district court's conditional grant of a petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (15 Minutes Per Side)

14-2035 Kevin Artz v. Paul Klee

[5:06-cv-10238](#)

Eastern District of Michigan at Ann Arbor

J. O'Meara

In this appeal from the denial of a 28 U.S.C. Section 2254 habeas corpus petition, the appellant, a Michigan prisoner, challenges the district courts rejection of his claim that the prosecution withheld a state psychologists opinion in violation of Brady v. Maryland, 373 U.S. 83 (1963). (15 Minutes Per Side)

15-5337 Louis Artis v. Finishing Brands Holdings, Inc

[1:13-cv-01090](#)

Western District of Tennessee at Jackson

J. Breen

Plaintiff appeals the summary judgment for defendant in this action for racial discrimination, hostile work environment, and retaliation under Title VII. (15 Minutes Per Side)

14-1501 Karen Hawver v. USA

[2:13-cv-11068](#)

Eastern District of Michigan at Detroit

D. Hood

Plaintiff appeals the dismissal of her wrongful-death medical-negligence action as barred by the two-year statute of limitations of the Federal Tort Claims Act. (15 Minutes Per Side)

14-5205 USA v. Christopher Moody

[3:09-cr-00240-21](#)

Middle District of Tennessee at Nashville

W. Haynes

15-5209 USA v. Brice Marchbanks

[3:09-cr-00240-27](#)

Middle District of Tennessee at Nashville

J. Nixon

Defendants appeal their convictions for various crimes involving drugs and firearms. (To Be Submitted On Briefs)

Wednesday, December 09, 2015

636 - 6th Floor East Courtroom, 2:00 P.M.

Before: **Boggs, Rogers, Griffin**

15-3306 Samuel Moreland v. Norm Robinson

3:05-cv-00334

Southern District of Ohio at Dayton

T. Rose

The petitioner appeals the denial of his motion for relief from judgment and motion to amend in this Ohio death penalty case alleging, among other things, that he was deprived of the effective assistance of counsel . (30 Minutes Per Side).

Thursday, December 10, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Boggs, Donald, Hood**

14-5654 USA v. Timothy Fults

4:13-cr-00012-1 Eastern District of Tennessee at Winchester H. Mattice

Defendant appeals his conviction for being a felon in possession of a firearm and being an armed career criminal. (15 Minutes Per Side)

15-1202 Robert Zucker v. City of Farmington Hills, et al.

5:12-cv-15047 Eastern District of Michigan at Ann Arbor J. Levy
M. Hluchaniuk

Plaintiff appeals the summary judgment for defendants and the denial of his motion for reconsideration in this civil rights action challenging an involuntary mental health seizure on various state and federal grounds. (15 Minutes Per Side)

15-3568 MISC Berhad v. Advanced Polymer Coatings Inc, et al.

1:14-cv-01188 Northern District of Ohio at Cleveland P. Gaughan

Plaintiff appeals the summary judgment for the defendant in this action alleging wrongdoing in connection with defendant's application of a protective coating to cargo vessels. (15 Minutes Per Side).

13-1516 Joel Carter v. Ricumstrict, et al.

2:07-cv-13311 Eastern District of Michigan at Detroit D. Hood

Plaintiff appeals from a judgment on a defense verdict in his civil rights action filed under 42 U.S.C. Section 1983. (To Be Submitted On Briefs)

15-3465 Mar-Ya Zuke v. AA, et al.

1:13-cv-00403 Southern District of Ohio at Cincinnati M. Barrett

Plaintiff appeals the judgment as a matter of law for the defendant in this action brought under ERISA based on the denial of long term disability benefits. (To Be Submitted On Briefs)

13-4171 Sero Askew v. Margaret Bradshaw

5:12-cv-00131 Northern District of Ohio at Akron P. Gaughan

The petitioner appeals from the district court's judgment denying his petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (To Be Submitted On Briefs)

14-4116 Michael Bradley v. Jack Reno, Jr., et al.

4:12-cv-00890 Northern District of Ohio at Youngstown B. Pearson

Plaintiff appeals the summary judgment for defendants on the basis of qualified immunity in this civil action alleging a violation of his federal civil rights under 42 U.S.C. 1983 for unlawful arrest and common law claims for malicious prosecution and false imprisonment. (To Be Submitted On Briefs)

15-3274 USA v. Charmin Reeves

1:13-cr-00170-1 Northern District of Ohio at Cleveland B. Pearson

Defendant appeals the denial of her motion for new trial/acquittal and judgment following her jury conviction for conspiracy to possess with intent to distribute oxycodone, health care fraud, and aggravated identity theft. (To Be Submitted On Briefs)

Thursday, December 10, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Boggs, Donald, Hood**

15-1367 USA v. Lee New, III

1:13-cr-00250-2

Western District of Michigan at Grand Rapids

R. Bell

Defendant appeals the judgment entered following his plea of guilty of conspiracy to distribute and possess with intent to distribute methamphetamine. (To Be Submitted On Briefs)

15-3045 Reyes Velazquez-Arzate v. Loretta E. Lynch

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Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies cancellation of removal. (To Be Submitted On Briefs)

Thursday, December 10, 2015

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Griffin, Kethledge, Cleland**

15-3396 Donna Craig v. Bridges Bros. Trucking LLC, et al.

[2:12-cv-00954](#)

Southern District of Ohio at Columbus

E. Sargus

Plaintiff appeals the summary judgment for the defendants in this action alleging unpaid wages, unpaid overtime wages, and unlawful retaliation in violation of state and federal law. (15 Minutes Per Side).

15-3554 Luis Cruz-Osornio v. Loretta Lynch

a079 137 397

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies cancellation of removal. (15 Minutes Per Side)

15-5362 USA v. David Church, Jr.

[3:13-cr-00067-1](#)

Middle District of Tennessee at Nashville

T. Campbell

Defendant appeals his conviction for being a felon in possession of a firearm and possession with intent to distribute hydromorphone. (15 Minutes Per Side)

14-3753 Cranpark, Inc. v. Rogers Group, Inc.

[4:04-cv-01817](#)

Northern District of Ohio at Youngstown

G. Limbert

14-3832 Cranpark, Inc. v. Rogers Group, Inc.

[4:04-cv-01817](#)

Northern District of Ohio at Youngstown

G. Limbert

Plaintiff appeals and defendant cross-appeals the district court's judgment as a matter of law this diversity dispute alleging breach of contract and promissory estoppel. (15 Minutes Per Side).

14-5099 USA v. Quincy Fuqua

[3:10-cr-00065-1](#)

Middle District of Tennessee at Nashville

T. Campbell

15-5515 USA v. Quincy Fuqua

[3:10-cr-00065-1](#)

Middle District of Tennessee at Nashville

T. Campbell

Defendant appeals his conviction for being a felon in possession of a firearm, possession of a firearm in furtherance of a drug trafficking crime, and possession with intent to distribute marijuana and the denial of his post-judgment motion for a new trial. (15 Minutes Per Side)

15-5320 Barbara Gunn v. Senior Services of N. KY

[2:12-cv-00197](#)

Eastern District of Kentucky at Covington

D. Bunning

Plaintiff appeals the summary judgment for Defendant in this civil action for gender discrimination under Title VII. (To Be Submitted On Briefs)

15-3514 Beverly Getz v. J. Swoap, et al.

[3:13-cv-01492](#)

Northern District of Ohio at Toledo

J. Helmick

Plaintiff appeals the summary judgment for defendants on the basis of qualified immunity in this civil rights case alleging that Wood County officers used excessive force against the decedent. (To Be Submitted On Briefs)

Thursday, December 10, 2015

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Griffin, Kethledge, Cleland**

14-4043 Lavelle Jones v. Warden, Lebanon Correctional

[2:13-cv-00155](#)

Southern District of Ohio at Columbus

G. Frost

T. Kemp

Petitioner appeals the district courts judgment denying his petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (To Be Submitted On Briefs)

15-5522 Alicia Williams v. Steak 'N Shake, Inc.

[1:13-cv-00145](#)

Western District of Kentucky at Bowling Green

G. Stivers

Plaintiff appeals the summary judgment for Defendant in this civil action for disability discrimination and related claims arising from Plaintiff's termination from a restaurant. (To Be Submitted On Briefs)

Thursday, December 10, 2015

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Cole, Sutton, Bell**

14-4008 Susan List, et al. v. Steven Driehaus, et al.[1:10-cv-00720](#)

Southern District of Ohio at Cincinnati

T. Black

The defendants appeal the summary judgment for plaintiffs in this action challenging the constitutionality of Ohio's political false-statments laws. (15 Minutes to be Shared by Plaintiffs; 15 Minutes for Defendants)

15-3447 Citizens in Charge, Inc., et al. v. Jon Husted[2:13-cv-00935](#)

Southern District of Ohio at Columbus

M. Watson

T. Kemp

Defendant appeals the denial of his motion for summary judgment on the basis of qualified immunity in this action challenging the constitutionality of an Ohio statute prohibiting circulation of initiative petitions by citizens who are not residents of Ohio. (15 Minutes Per Side)

14-4174 Jeremiah Craycraft v. Brian Cook, Warden[1:13-cv-00089](#)

Southern District of Ohio at Cincinnati

W. Bertelsman

M. Merz

Petitioner appeals the district court's judgment denying his petition for a writ of habeas corpus filed under 28 U.S.C. Section 2254. (To Be Submitted On Briefs)

15-3486 Reginald Laughlin v. City of Cleveland, et al.[1:14-cv-01772](#)

Northern District of Ohio at Cleveland

J. Gwin

Plaintiff appeals the summary judgment for the City of Cleveland, his former employer, in this Title VII case alleging that plaintiff was illegally fired in retaliation for reporting to a supervisor that his foreman made racially and sexually offensive comments. (To Be Submitted On Briefs)

15-3106 Brian Bauman, et al. v. Bank Of America, et al.[2:14-cv-00553](#)

Southern District of Ohio at Columbus

G. Frost

Plaintiffs appeal the dismissal for failure to state a claim of their complaint alleging that the defendants violated the Fair Debt Collection Practices Act in connection with a foreclosure action brought against plaintiffs in state court. (To Be Submitted On Briefs)

15-3066 Vikramjeet Singh v. Loretta E. Lynch

a200 941 698

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies asylum, withholding of removal, and protection under the Convention Against Torture. (To Be Submitted On Briefs)

15-3484 Eric Wheeler v. Dayton Police Department, et al.[3:13-cv-00300](#)

Southern District of Ohio at Dayton

M. Newman

Plaintiff appeals the summary judgment for the defendants, which was based on the district court's finding that his civil rights claims arising from his arrest by Dayton police officers are barred as a matter of law by application of res judicata. (To Be Submitted On Briefs)

Thursday, December 10, 2015

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Cole, Sutton, Bell**

15-5290 USA v. Terrance Brown

[2:14-cr-20108-1](#)

Western District of Tennessee at Memphis

S. Mays

Defendant appeals his conviction for sexual abuse of a minor under the age of sixteen years (statutory rape). (To Be Submitted On Briefs)

14-6201 USA v. Seth Johnston

[5:13-cr-00142-1](#)

Eastern District of Kentucky at Lexington

J. Hood

15-5109 USA v. Seth Johnston

[5:13-cr-00142-1](#)

Eastern District of Kentucky at Lexington

J. Hood

Defendant appeals his judgment for mail fraud, wire fraud, conspiracy to obstruct justice, conspiracy to distribute synthetic marijuana, and attempting to evade or defeat tax and his final order of restitution. (To Be Submitted On Briefs)

Thursday, December 10, 2015

842 - 8th Floor East Courtroom, 9:00 A.M.

Before: **Batchelder, McKeague, Stranch**

15-1120 Shenika Parchman v. City of Taylor, et al.

[2:12-cv-13094](#)

Eastern District of Michigan at Detroit

D. Hood

Plaintiff appeals the summary judgment for defendants in this civil rights action seeking damages to plaintiff and her unborn child arising from her arrest for retail theft. (15 Minutes Per Side)

15-1374 James McKinney v. Bonita Hoffner

[2:13-cv-15284](#)

Eastern District of Michigan at Detroit

M. Battani

In this appeal from the denial of a 28 U.S.C. Section 2254 habeas corpus petition, the appellant, a Tennessee prisoner, challenges the district courts rejection of his claim that his statement to police was taken in violation of his rights under *Miranda v. Arizona*, 384 U.S. 436 (1966). (15 Minutes Per Side)

15-1131 USA v. Jacob Hixson

[5:14-cr-20425-5](#)

Eastern District of Michigan at Ann Arbor

J. Levy

Defendant appeals the criminal judgment entered following his plea of guilty of assault resulting in serious bodily injury in aid of racketeering. (To Be Submitted On Briefs)

15-1024 Bonnie Owens, et al. v. FNMA

[2:14-cv-11452](#)

Eastern District of Michigan at Detroit

S. Cox

Plaintiffs appeal the dismissal of their action challenging a residential mortgage foreclosure. (To Be Submitted On Briefs)

15-1225 Mary Rush v. Lansing, City of, et al.

[1:13-cv-01317](#)

Western District of Michigan at Grand Rapids

R. Bell

In this civil rights action alleging use of excessive force resulting in death, the defendant officer appeals the denial of summary judgment based on qualified immunity. (To Be Submitted On Briefs)

14-4171 Mastan Singh v. Loretta E. Lynch

[a200-814-180](#)

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies asylum, withholding of removal, and protection under the Convention Against Torture. (To Be Submitted On Briefs)

Thursday, December 10, 2015

403 - 4th Floor Courtroom, 1:30 P.M.

Before: **Batchelder, Daughtrey, Rogers**

14-2274 USA v. DTE Energy Company, et al.

[2:10-cv-13101](#)

Eastern District of Michigan at Detroit

B. Friedman

14-2275 USA v. DTE Energy Company, et al.

[2:10-cv-13101](#)

Eastern District of Michigan at Detroit

B. Friedman

In this Clean Air Act enforcement action alleging the failure to comply with the New Source Review requirements, the government and the intervening plaintiff appeal the summary judgment for the defendants. (15 Minutes to be Shared by Plaintiff & Intervening Plaintiff; 15 Minutes for Defendants)

Friday, December 11, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Batchelder, McKeague, Stranch**

15-3725 USA v. David Kraus

3:14-cr-00256-1 Northern District of Ohio at Toledo

J. Zouhary

Defendant appeals the judgment entered and sentence imposed following his guilty plea to false statements. (15 Minutes Per Side)

14-1862 Tina Varlesi v. Wayne State University, et al.

2:10-cv-14793 Eastern District of Michigan at Detroit

D. Hood

In this civil rights action alleging pregnancy discrimination and retaliation tried to a jury, defendants appeal the judgment for plaintiff and the denial of their post-judgment motion seeking a judgment notwithstanding the verdict, a new trial, or a remittitur. (15 Minutes Per Side)

15-5391 USA v. Raymond Brown

1:13-cr-00107-1 Eastern District of Tennessee of Chattanooga

C. Collier

Defendant appeals his conviction for receiving and distributing misbranded drugs in interstate commerce with intent to defraud and mislead. (To Be Submitted On Briefs)

15-3081 Jose Zaldana Menijar v. Loretta Lynch

a094 250 081 Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies withholding of removal and protection under the Convention Against Torture. (To Be Submitted On Briefs)

14-2596 Billy Rayfield v. American Reliable Ins Co

2:13-cv-12709 Eastern District of Michigan at Detroit

S. Cox

In this diversity insurance coverage dispute, plaintiff appeals the judgment on the pleadings for the defendant. (To Be Submitted On Briefs)